

The Honorable John H. Chun
United States District Court Judge

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

Bianey GARCIA PEREZ, Maria
MARTINEZ CASTRO, J.M.Z.,
Alexander MARTINEZ HERNANDEZ,
on behalf of themselves as individuals
and on behalf of others similarly
situated,

Plaintiffs.

U.S. CITIZENSHIP AND
IMMIGRATION SERVICES; Ur
JADDOU, Director, U.S. Citizenship
and Immigration Services; EXECUTIVE
OFFICE FOR IMMIGRATION
REVIEW; Mary CHENG, Acting
Director, Executive Office for
Immigration Review,¹

Defendants.

Case No. 2:22-cv-00806-JHC

**JOINT STATUS REPORT &
STIPULATION & ORDER**

Note on Calendar: June 27, 2024

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Mary Cheng, Acting Director for the Executive Office for Immigration Review is automatically substituted for former Director David Neal. See Fed. R. Civ. Pro. 25(d) (instructing that a public officer's successor is automatically substituted as a party in ongoing litigation if the officer ceases to hold office during the pendency of the action).

PARTIES' JOINT STATUS REPORT AND STIPULATION

Plaintiffs Bianey Garcia Perez; Maria Martinez Castro; J.M.Z.; Alexander Martinez Hernandez; and Defendants U.S. Citizenship and Immigration Services (“USCIS”); Ur Jaddou, Director, USCIS; Executive Office for Immigration Review (“EOIR”); and Mary Cheng, Acting Director, EOIR, submit this status report.

The parties' counsel have agreed to the terms of a settlement agreement. The Department of Justice must complete its settlement review process and approve the settlement. See 28 C.F.R. § 0.160(a) (authorizing Assistant Attorneys General to approve settlements with respect to matters assigned to their respective divisions); *id.* § 0.160(d) (requiring that any proposed settlement, regardless of amount or circumstances, be referred to the Deputy Attorney General or the Associate Attorney General, if it meets any one of specified criteria); Civil Division Directive No. 1-15 – 28 C.F.R. Part 0 (available at <https://www.justice.gov/jm/civil-resource-manual-46-redelegation-authority-compromise-civil-claims>). The process has been delayed. Undersigned counsel for Defendants, however, estimates that the Department of Justice's process will be completed by July 27, 2024.

Plaintiffs and Defendants have previously jointly stipulated to several stays. *See* ECF Nos. 34, 37, 39, 41, 44, 46, 48, 51, 53, 56, 58, 60, 62, 63, 66. Most recently, the parties jointly stipulated to a stay on May 28, 2024. ECF No. 66. On May 28, 2024, this Court granted the parties' stay and ordered the parties to submit a joint status report by June 27, 2024. ECF No. 67.

In light of these developments, the parties have agreed to stipulate to a thirty-day stay of Defendants' briefing deadlines. Good cause continues to exist for an extension of time, because the complexity of the issues in this case and the proximity of settlement. If this Court grants an

1 extension, the parties would move for preliminary approval of a settlement agreement or seek a
2 further extension, if necessary, by July 29, 2024.²

3 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

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5 For the Plaintiffs:

6 /s/ Matt Adams

7 Matt Adams

8 /s/ Aaron Korthuis

9 Aaron Korthuis

10 Northwest Immigrant Rights Project
11 615 Second Avenue, Suite 400
Seattle, WA 98104
(206) 957-8611
matt@nwirp.org
aaron@nwirp.org

12
13 /s/ Mary Kenney

Mary Kenney

14 /s/ Trina Realmuto

15 Trina Realmuto

16 /s/ Kristin Macleod-Ball

17 Kristin Macleod-Ball

18 National Immigration Litigation Alliance
19 10 Griggs Terrace
Brookline, MA 02446
(617) 819-4447
mary@immigrationlitigation.org
trina@immigrationlitigation.org

For the Defendants:

BRIAN M. BOYNTON

Principal Deputy Assistant Attorney General
U.S. Department of Justice, Civil Division

WILLIAM C. PEACHEY

Director

WILLIAM C. SILVIS

Assistant Director

CHRISTINA PARASCANDOLA

Senior Litigation Counsel

MARIE FEYCHE

Trial Attorney

RUTH CHECKETTS

Special Attorney

ANEESA AHMED

Trial Attorney

/s/ Aneesa Ahmed

ANEESA AHMED

Trial Attorney

Office of Immigration Litigation

District Court Section

Department of Justice, Civil Division

P.O. Box 868, Ben Franklin Station

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Thirty (30) days after the current due date is Saturday, July 27, 2024. A stay of thirty (30) days
would make the due date Monday, July 29, 2024. See Fed. R. Civ. Pro. 6(a)(1)(C) (providing that
if the last day of the extension or stay period is a Sunday, then the period continues to run until the
next day that is not a Saturday, Sunday, or legal holiday).

1 kristin@immigrationlitigation.org

Washington, D.C. 20044
(202) 451-7744
Aneesa.Ahmed@usdoj.gov

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5 Dated this 27th day of June, 2024.

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8 PURSUANT TO STIPULATION, IT IS SO ORDERED.

9 Dated this 28th day of June.

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12 The Honorable John H. Chun
13 UNITED STATES DISTRICT JUDGE